

REMARKS

Request for Reconsideration, Informal Matters & Claims Pending

The application stands subject to a non-final Office Action mailed on 30 December 2009. Reconsideration of the claimed invention in view of any amendments above and the discussion below is respectfully requested.

Claim 14 was canceled.

Claims 1-13 and 15-18 are currently pending.

Arguments re: Kuusinen & Misra

Rejection Summary

Claims 1-13 and 15-18 stand rejected under 35 USC 103(a) as being unpatentable over EP 1161036 (Kuusinen) in view of U.S. Publication No. 2004/0022209 (Misra).

Discussion of Claim 1

Regarding Claim 1, Kuusinen and Misra fail to suggest a

... method in a wireless communications device, the method comprising:
pre-empting an active packet session with an event;
suspending operation of a dormancy timer initiated upon pre-emption of the active packet session;

re-starting the suspended dormancy timer upon completion of either a service or application associated with the event pre-empting the active packet session.

Kuusinen describes a wireless communication terminal that operates in either packet mode or circuit mode, but not both modes simultaneously. When the terminal of Kuusinen suspends packet mode operation (to permit transition to circuit mode), the terminal sends a packet to a network server indicating that the server should abort packet transmissions to the terminal. At paragraph [0041], Kuusinen indicates that the terminal may disable its re-transmission timer when switching to the suspend state, and then re-enable the re-transmission timer when the terminal returns to packet mode.

The re-transmission timer in Kuusinen however is different than the “dormancy timer” in the claimed invention. At paragraphs [0012-16], Kuusinen describes the re-transmission timer as a packet mode timer that is set when the terminal (or server) transmits a packet. According to Kuusinen, if the re-transmission timer expires before an ACK is received (in response transmission of the packet), the packet is re-transmitted. In the present application, the dormancy timer is normally set when the terminal suspends packet operation (enters the dormant state) as described in paragraph [0004] of Applicants patent specification. According to the claimed invention, the dormancy timer is suspended for an event that preempts a packet session. Kuusinen does not disclose a “dormancy timer” therefore cannot meet the limitations of Claim 1. The Examiner’s reliance on Misra for teaching the prioritization of a voice all over a packet session does not remedy the

deficiencies of Kussinen. Claim 1 is thus patentably distinguished over the Kussinen and Misra.

Discussion of Claim 7

Regarding Claim 7, Kuusinen and Misra fail to suggest a

... method in a wireless communications device, the method comprising:
pre-empting an active packet session with an event;
suspending initiation of a dormancy timer that would otherwise be initiated after pre-emption of the packet session;
initiating the suspended dormancy timer upon completion of either a service or application associated with the event pre-empting the active packet session.

As discussed above, the re-transmission timer in Kuusinen is different than the “dormancy timer” in the claimed invention. At paragraphs [0012-16], Kussinen describes the re-transmission timer as a packet mode timer that is set when the terminal (or server) transmits a packet. According to Kuusinen, if the re-transmission timer expires before an ACK is received (in response transmission of the packet), the packet is re-transmitted. In the present application, the dormancy timer is normally set when the terminal suspends packet operation (enters the dormant state) as described in paragraph [0004] of Applicants patent specification. According to the claimed invention, the dormancy timer is suspended for an event that preempts a packet session. Kuusinen does not disclose a “dormancy timer” therefore cannot meet the limitations of Claim 7. The Examiner’s reliance on Misra for teaching the prioritization of a voice all over a packet session does not remedy

the deficiencies of Kussinen. Claim 7 is thus patentably distinguished over the Kussinen and Misra.

Discussion of Claim 13

Regarding Claim 13, Kuusinen and Misra fail to suggest a

... method in a wireless communications device, the method comprising:
receiving a network control message;
suspending an active packet session of the wireless communication device in response to receiving the network control message;
suspending a dormancy timer after receiving the network control message.

As discussed above, the re-transmission timer in Kuusinen is different than the “dormancy timer” in the claimed invention. At paragraphs [0012-16], Kussinen describes the re-transmission timer as a packet mode timer that is set when the terminal (or server) transmits a packet. According to Kuusinen, if the re-transmission timer expires before an ACK is received (in response transmission of the packet), the packet is re-transmitted. In the present application, the dormancy timer is normally set when the terminal suspends packet operation (enters the dormant state) as described in paragraph [0004] of Applicants patent specification. According to the claimed invention, the dormancy timer is suspended for an event that preempts a packet session. Kuusinen does not disclose a “dormancy timer” therefore cannot meet the limitations of Claim 13. The Examiner’s reliance on Misra for teaching the prioritization of a voice all over a packet session does not remedy

ZHANG ET AL.
"Enhanced Voice Pre-Emption of
Active Packet Data Services"
Atty. Docket No. CS23995RL

Appl. No. 10/814,831
Confirm. No. 6501
Examiner D. Herrera
Art Unit 3617

the deficiencies of Kussinen. Claim 13 is thus patentably distinguished over the Kussinen and Misra.

Prayer For Relief

In view of any amendments and the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

/ ROLAND K. BOWLER II /

ROLAND K. BOWLER II 30 MAR. 2010
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